

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HAVANA CHELSEA LUNCHEONETTE, INC., :

Plaintiff, :

v. :

THOMAS VICARI, individually, and doing
business as, or a principal in the business known
as "CHELSEA HAVANA," and HAVANA
CHELSEA, INC. :

Defendant. :
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Civil Action No.
08 CV 260

DEFENDANT'S STATEMENT PURSUANT TO RULE 7.1

Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District judges and Magistrate judges of the court to evaluate possible disqualification or recusal, the undersigned attorney of record for defendant HAVANA CHELSEA, INC. (a non-governmental entity) certifies that there are no subsidiaries or affiliates of that party which are publicly held.

GOTTLIEB, RACKMAN & REISMAN
270 Madison Avenue, 8th Floor
New York, NY 10016
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Marc P. Misthal (MM 6636)

Dated: New York, NY
February 25, 2008